

BILL ANALYSIS

C.S.S.B. 1118
By: Williams
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, a county with a population of 2.8 million or more is permitted to require prospective bidders on proposed county purchases or projects to attend a pre-bid conference. Only those prospective bidders that attend the mandatory pre-bid conference are eligible to bid on a proposed purchase or project. As substituted, C.S.S.B. 1118 allows a county, in those cases where the county extends the time for receiving and opening bids on a proposed purchase or project for which a mandatory pre-bid conference was held, to directly notify via certified mail the pre-bid conference attendees.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 262.0256, Local Government Code, by removing the current population bracket and by adding Subsection ©) to authorize, after a pre-bid conference is conducted under Subsection (b), any additional required notice for the proposed purchase to be sent by certified mail, return receipt requested, only to prospective bidders who attended the conference. Provides that notice under this subsection is not subject to the requirements of Section 262.025.

SECTION 2. Amends Section 271.0565, Local Government Code, by removing the current population bracket and by adding Subsection ©) to authorize, after a pre-bid conference is conducted under Subsection (b), any additional required notice for the proposed purchase to be sent by certified mail, return receipt requested, only to prospective bidders who attended the conference. Provides that notice under this subsection is not subject to the requirements of Section 271.055.

SECTION 3. Creates a new Section 271.0566, Local Government Code that requires local governments to publish bid specifications before holding a mandatory pre-bid conference.

SECTION 4. Effective date: September 1, 2003. Makes application of this Act prospective.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

SECTION 1. Adds new provision in 262.0256, Local Government Code removing the population bracket of 2.8 million or more

SECTION 2. Adds new provision in 271.0565, Local Government Code removing the population bracket

of 2.8 million or more.

SECTION 3. Adds new Sec. 271.0565 that requires publication of bid specifications before holding a mandatory pre-bid conference.

SECTION 4. Makes conforming changes.